

**GOVERNMENT OF THE VIRGIN ISLANDS
OF THE UNITED STATES**

PUBLIC SERVICES COMMISSION

In the Matter of)	
Virgin Islands Telephone Corporation)	Docket 594
d/b/a Innovative Telephone's)	
Petition for Suspension of Duty to)	Order No. <u>1</u>/2012
<u>Implement Local Number Portability</u>)	

**FINDINGS OF FACT
AND
ORDER DENYING INDEFINITE SUSPENSION,
CONTINUING INTERIM FOR SUSPENSION FOR A LIMITED PERIOD,
AND REQUIRING LOCAL NUMBER PORTABILITY BY JUNE 16, 2012**

Whereas, the Virgin Islands Telephone Corporation d/b/a Innovative Communications (hereinafter "Innovative") filed a Petition with the Virgin Islands Public Services Commission ("Commission") on June 16, 2011 seeking suspension of its duty under the federal Telecommunications Act of 1996 to implement intermodal Local Number Portability ("LNP") either permanently or for a period of four years; and

Whereas, on July 1, 2011, Choice Communications, LLC, ("Choice") a wireless carrier operating in the U.S. Virgin Islands filed an Opposition to Innovative's Petition; and

Whereas, on July 11, 2011, Sprint Communications Company ("Sprint") applied to intervene in this proceeding and AT&T Mobility USVI, Inc. ("AT&T") filed an Opposition to Innovative's Petition; and

Whereas, the Commission recognized Sprint and AT&T as intervenors at its July 12, 2011 public meeting and issued a Scheduling Order for the filing of position statements, discovery and reply comments; and

Whereas, at the request of Innovative and as authorized under the federal Telecommunications Act, the Commission granted a temporary suspension of LNP obligations until September 30, 2011, in order to preserve the *status quo* while the matter was under consideration; and

Whereas, the parties submitted their filings and evidence in accordance with the Scheduling Order; and

Whereas, AT&T proposed an alternative solution calling for implementation of wireless-to-wireless LNP using the same methodology employed by carriers on the mainland within six to eight months and implementation of intermodal LNP by December 31, 2013; and

Whereas, AT&T favors immediate implementation of intermodal LNP if its alternate proposal is not accepted; and


Whereas, on September 9, 2011, the Georgetown Consulting Group ("GCG"), acting as advisors to the Commission Staff, evaluated all of the information provided by the parties and issued its Report which is attached hereto; and

Whereas, having considered the record in this proceeding and having conducted further inquiry at its September 21, 2011 public meeting,

Now, therefore, it is hereby **ORDERED** that:

1. The Commission adopts the GCG report, recommendations and findings with the one exception described below;
2. That exception is to extend the suspension of duty of Innovative to provide full intermodal local number portability until the one year anniversary of its petition for suspension; and
3. That Innovative shall provide full intermodal local number portability no later than June 16, 2012.

Dated: October 5, 2011


Donald G. Cole
Chairman